

EAG/AE
F. #2018R00733

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

STIPULATION AND ORDER

- against -

Cr. No. 19-239 (RJD)- 02

WESLEY BLAKE BARBER and
CHRISTOPHER WALKER,

Defendants.

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WHEREAS, the discovery materials to be provided by the government in the above-captioned case (hereinafter, the "Discovery Materials") contain (i) personal financial information including information relating to the bank accounts, (ii) personally identifiable information including addresses, social security numbers and dates of birth and (iii) sensitive medical information, all regarding individuals other than the defendants (collectively, hereinafter "sensitive information"),

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned that:

1. The Discovery Materials can be used by the defendants and their defense counsel in this matter only for purposes of trial preparation, defense at trial against the charges set forth in the above-captioned indictment, and any related appellate matters arising from the above-referenced trial.

2. The defendants may not possess a copy of the Discovery Materials unless the sensitive information has been redacted from those documents. However, the defendants may review unredacted Discovery Materials in court or at the offices of their attorneys.

3. Absent further order of the Court, the defendants and their defense counsel may not disclose or disseminate the Discovery Materials containing sensitive information (even if the sensitive information has been redacted) or any information contained in those documents to anyone who has not signed this Stipulation and Order, other than those of defense counsel's legal staff and any potential expert witnesses, vendors and/or investigators that have been advised of and agreed to be bound by the terms of this Stipulation and Order. If the defendants, their defense counsel, or anyone else who has received Discovery Materials containing sensitive information from any defendant or his counsel pursuant to the terms of this Stipulation and Order seeks to make further disclosure or dissemination of the Discovery Materials with sensitive information (even if the sensitive information has been redacted), notice must first be provided to the government and the Court, and such notice must be given sufficiently in advance of the contemplated disclosure or dissemination so as to permit briefing and argument on the propriety thereof.

4. Absent further order of the Court, the defendants and their defense counsel may not use sensitive information, whether directly or indirectly, for any purpose.

5. In the event that the defendants seek to file Discovery Materials with the Court or otherwise use Discovery Material during a court proceeding, each such defendant and his counsel will comply with Rule 49.1(a) of the Federal Rules of Criminal Procedure, will ensure that court transcripts are appropriately redacted to protect sensitive

information, and will seek permission from the Court to offer the redacted versions of Discovery Material into evidence unless it is necessary to offer the unredacted version.

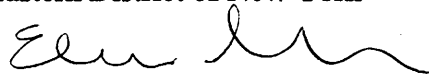
6. The defendants and their defense counsel will return to the government all copies of the Discovery Materials provided by the government through discovery in this case at the conclusion of this matter, specifically either within seven days of (a) a verdict of acquittal rendered by a jury, (b) the date of sentencing if no appeal is filed or (c) the issuance of an appellate decision rendering a final judgment.

7. Any violation of this Stipulation and Order (a) will require the immediate return to the government of the Discovery Materials, and (b) may result in contempt of Court.

Dated: Brooklyn, New York
June 14, 2019


RICHARD P. DONOGHUE
United States Attorney
Eastern District of New York

By:


Elizabeth Geddes
Assistant U.S. Attorney

ROBERT ZINK
Acting Chief
Fraud Section, Criminal Division

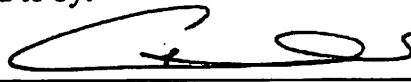
By:


Andrew Estes
Trial Attorney

Agreed to by:

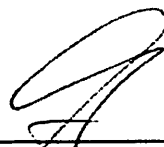
Wesley Blake Barber
Defendant

Agreed to by:



Christopher Walker
Defendant

Mark Nejame, Esq.
Attorney for Def. Wesley Blake Barber



Fritz Scheller, Esq.
Attorney for Def. Christopher Walker

SO ORDERED: ✓

s/ Raymond J. Dearie

THE HONORABLE RAYMOND J. DEARIE
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK